

This document has been electronically filed using ePUC

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 22-4719-INV

2022 filing of updates to Energy Efficiency Utility Triennial Plans for 2021-2023	
--	--

**DEPARTMENT OF PUBLIC SERVICE'S COMMENTS ON EFFICIENCY
VERMONT'S 2023 TRIENNIAL PLAN UPDATE**

On December 2, 2022 the Vermont Public Utility Commission ("Commission") held a workshop to discuss the triennial plan updates of Efficiency Vermont, City of Burlington Electric Department, and Vermont Gas Systems. The Commission established December 16th as the deadline for any comments on the Energy Efficiency Utilities' ("EEU") triennial plan updates. As follows, the Department of Public Service ("Department") offers the following comments on Efficiency Vermont's triennial plan update as it relates to the Flexible Load Management ("FLM") program.

Funded through the Energy Efficiency Charge ("EEC"), Efficiency Vermont's FLM program is budgeted at \$3,440,820 for the 2021-2023 performance period. At the December 2 workshop Efficiency Vermont reported that the FLM budget to date has 74% (\$2,535,308) remaining unspent. At the workshop Efficiency Vermont represented that it plans to spend the remaining balance of the FLM budget in program year 2023. Given the new nature of EVT's Flexible Load Management activities, the relatively rapid FLM spending proposed for 2023, and the potential overlap between EEU and DU activities in this realm, the Department would like to better understand EVT's plans to expend its FLM budget.

In addition, an important recent development may warrant a pause in Efficiency Vermont's plans for FLM spending in 2023, especially if the plans include distribution utility

(“DU”) investments such as software platforms to enable load management and control.

Through Act 185, the Legislature appropriated \$7 million to the Department for load management and storage efforts. The Legislature directed that a portion be directed to investments in “load control and management platforms to enable smaller municipal and cooperative utilities to capture and share benefits of load management.” Very recently in November 2022, these American Rescue Plan Act (“ARPA”) funds were recategorized into the Revenue Replacement category, allowing the Department to commit funds to support load management platforms for DUs, pending approval by the Agency of Administration. The Department has briefly discussed this development with Efficiency Vermont but we have not had the opportunity to engage more deeply to explore how the ARPA funds may complement or displace the EEC FLM budget for 2023.

Therefore, the Department plans to engage with Efficiency Vermont to learn more about FLM plans for 2023 as well as explore how State ARPA funds may best contribute to creating value for Vermont ratepayers. Concurrently, as the Department learns more about Efficiency Vermont’s FLM plans for 2023, it will review Vermont Energy Investment Corporation’s Order of Appointment for regulatory alignment with planned FLM investments funded through the EEC.

If the Department identifies any conflicts or concerns that cannot be resolved throughout the course of its discussion with Efficiency Vermont then it will notify the Commission through a filing in this case.

Thank you for the opportunity to comment. The Department has no other comments on the any of the EEU Triennial Plan updates for 2023 at this time.

Dated at Montpelier, Vermont this 16th day of December, 2022.

VERMONT DEPARTMENT OF PUBLIC
SERVICE

By: /s/ Megan Ludwig
Megan Ludwig
Special Counsel
Department of Public Service
112 State Street
Montpelier, VT 05620
Megan.ludwig@vermont.gov